

CHAPTER 1

THE PURPOSE OF THE SUBDIVISION REGULATIONS

SECTION A: POLICY

1. It is the policy of the Planning Commission to consider the subdivision and resubdivision of land in its relations to the best interest of the City as a whole. Subdivisions must be properly supervised in order to effectuate a distribution of population and traffic which will tend to create conditions favorable to the health, safety, convenience and welfare of the community as a whole and future residents of the subdivision in particular.
2. To accomplish these objectives, provisions are necessary to establish minimum acceptable standards of street construction, regulate the layout and development of lots and streets, prevent degradation of all potable water sources, control erosion and siltation, preserve adequate and convenient open spaces and retain the natural features of the land.

CHAPTER 2

APPLICATION PROCEDURE

SECTION A: WHO MAY APPLY

Application for approval of a plan of subdivision shall be made by the owner of record or by his authorized agent or designee.

SECTION B: COMPLETE APPLICATION

The Planning Commission shall not accept an incomplete application. An application shall consist of all the following items to be complete:

1. For a subdivision not intended to be served by public sewers, a written Soils Report prepared by a registered professional engineer and supervised by the Danbury Health Department, and a report prepared by the Danbury Health Department. These reports shall contain an appraisal of each and every individual lot relative to its ability to support subsurface sewage disposal units in compliance with State and Local Health Codes. Percolation tests shall be conducted and soil test pits shall be dug on every lot in the vicinity of the proposed septic system and the report shall indicate the nature of the soil, the depth of ledgerrock and depth of groundwater.
2. Utilities Plan, on sheets measuring 24"x36", showing existing contours at two (2) foot intervals, the location of all water courses and drainage areas and existing structures on or within on hundred (100) feet of the parcel. It shall show also the proposed lot and road layout, the size and location of proposed storm drainage facilities, the water supply system (including individual wells) and sewerage system (including individual septic systems and reserve areas) and for areas to be served by septic systems, the location and identification Department of Agriculture, Soil Conservation Service in cooperation with Connecticut Agricultural Experiment Station and Storrs Agriculture Experiment Station).

When required by the Planning Commission the utilities Plan shall also include all proposed grading, and the location of all proposed structures including the house and driveway.

3. A Road Profile, on sheets 24"x36" with a vertical scale bearing a 1:10 relationship to the horizontal scale. Profiles at the centerline and a typical cross section of all proposed streets and accessways shall be identified and cross sections shall indicate the size and location of all resurface installations within the street right-of-way.

4. A Final Plan of subdivision based upon an A-2 survey drawn in ink on material suitable for filing in the land records of the City of Danbury and of a size equal to one of the following dimensions: 12"x18", 18"x24", or 24"x36". The scale of said plan shall not exceed one hundred (100) feet to one (1) inch, and shall be submitted with four (4) copies reproduced by black-and white print or similar process. Said Final Plan of Subdivision shall contain the following:

- a) Name of record owner of the property.
- b) Name of subdivision and subdivider.
- c) Certificate of registered professional engineer or land surveyor.
- d) Zone in which the parcel lies, North Point, scale map, and date.
- e) Boundary lines of subdivision with accurate distances and bearings, and the total area of the subdivision.
- f) Names of abutting property owners.
- g) Layout of lots showing accurate dimensions, area of lots, angles, lot numbers and street addresses.
- h) Layout of existing streets and proposed new streets, including width of right-of-way, radii of curves and lengths of arcs; easements; rights-of-way, including those of utilities, sewers and drainage required to service the site; open spaces reserved for parks and playgrounds or other common or public uses, with accurate dimensions, bearing angles and curve data.
- i) Accurate location and description of monuments which shall be installed at street intersections, points of curvature and tangency of curved streets.
- j) Names of proposed streets, which names shall not duplicate the names of any existing street.
- k) A vicinity sketch and reference to other maps.

5. A Signed Request for approval on a form furnished by the commission. This form will only be furnished when an application is otherwise complete.

6. The Filing Fee for the processing of subdivision applications and the inspection of subdivision improvements which shall be at the maximum figure of \$25.00 per lot within the subdivision, but in no case shall be less than \$50.00.

SECTION C: PRELIMINARY PLAN REVIEW

Prior to the submission of an application for subdivision approval the applicant may, at his option, present a preliminary plan to the Planning Commission for its review. The preliminary plan should show the contours, proposed lot layout and proposed street layout of the subdivision.

SECTION D: STAKE OUT OF PROPOSED ROADS AND LOTS

At the time of the submission of an application the subdivider upon request of the Planning Commission shall cause the centerline of any proposed road and lot boundaries to be staked out in such a manner that the commission members may properly identify the location of the proposed roads in the field. He shall also indicate the location of drainage structures and easements in the same manner.

CHAPTER 3

PLANNING COMMISSION PROCEDURE

SECTION A: PUBLIC HEARING

The Planning Commission shall hold a public hearing involving any proposal of subdivision containing five (5) or more building lots or ten (10) or more acres in area and in instances of resubdivisions. The public hearing shall be held and scheduled in compliance with the General Statutes of the State of Connecticut.

SECTION B: ACTION ON PLANS

The Planning Commission may refer the subdivision plans to other city commissions and departments or professionals knowledgeable in land development for their review and comments when the Commission judges that such information would be valuable in arriving at a decision.

If an application for subdivision contains land regulated as an inland wetland or watercourse as defined by the Regulations of the Environmental Impact Commission, City of Danbury, and the Environmental Impact Commission has not already reviewed the application, the applicant shall file a copy of the application with said commission within ten (10) days after filing such application with the Planning Commission. The Planning Commission shall allow thirty (30) days from the elapse of the aforementioned ten (10) day period for a report from the Environmental Impact Commission prior to rendering a decision on such application.

The Planning Commission shall approve, approve with modifications or conditions, or disapprove an application for subdivision within the time allocated in General Statutes of the State of Connecticut. If the Commission disapproves the plan, it shall state the grounds for such disapproval in its minutes. The Planning Commission may approve a plan of subdivision with conditions only where such conditions would satisfy the requirements of these regulations and where the fulfillment of such conditions is within the control of either the Planning Commission or the applicant, or is a reasonable probability.

When a subdivision has been approved, the Commission shall require the applicant to submit plans of the subdivision showing all proposed roads and lot layout as finally approved (drawn in ink on material suitable for filling in the land records), which plans shall be drawn to a scale of one hundred (100) feet to one inch. These shall be submitted on sheets 24"x36" in size. No dimensions or areas shall be shown on these plans.

To facilitate the stamping and recording of an approved subdivision which involves road and utility construction, a covenant (on a form supplied by the Planning Commission) shall be filed by the applicant within fifteen (15) days of the published date of such subdivision and prior to the signing and release of the final map for filing. The failure to submit such covenant in the time allotted shall cause the approval of said subdivision to be null and void. The above mentioned covenant shall be a formal, executed and recorded writing by the owner of the property in question made out to the City of Danbury and shall contain the following items:

- a) Complete legal description of the subdivision,
- b) Recital of the date and prior approval of the subdivision by the Planning Commission of the City of Danbury,
- c) Recital of the amount of the bond set by said Planning Commission,
- d) Recital by reference to the agreement by the owner-developer to complete the roads and all utilities,
- e) Covenant of the owner that no lots covered by said covenant shown on the subdivision plan shall be sold, lease or offered for sale or lease until there has been full compliance with the performance bond provisions of this section,
- f) Recital therein that the covenant shall be expressly binding upon all the lots shown on said subdivision which are to be served by the proposed road

5.1 Said document shall be recorded, by the owner-developer, along with the final map approved by the Planning Commission, the charge for same to be paid by the owner-developer and executed in the same manner as deeds and other instruments of conveyance so that it shall be notice to the public that said lots cannot be sold unless the regulations shall have been complied with in full. This document is then to be returned to the Planning Office, by the Town Clerk's Office, for the Commission's files.

5.2. When the performance bond provisions of this section have been complied with by the posting of the performance bond, the covenant shall be automatically released and there shall be no necessity for a formal written release executed by the City of Danbury to release said covenant

6. To insure the satisfactory completion of all the required road construction, the Commission shall require a performance bond to be filed with the Commission, upon the advice of the city Engineer, to represent its estimate of the proposed work, plus an additional factor of twenty percent (20%) for maintenance costs. The bond shall be posted in the form of a certified check, passbook or letter of credit. The term of such letter of credit shall not be less than the time remaining to complete said subdivision plus an additional six (6) months.

6.1. The amount of the performance bond shall be reviewed every two (2) years and said amount may be adjusted as deemed necessary to insure that adequate funds are available to complete all work as required by the subdivision approval and these regulations.

7. The Commission, upon final action on any subdivision application, shall, with fifteen (15) days, give notice of its decision by publication in a newspaper of general circulation in the City of Danbury, and by sending a copy thereof by registered or certified mail to the applicant in accordance with the General Statutes of the State of Connecticut.

8. The Commission shall endorse a certification of approval on any plan of subdivision approved by the Commission. However, such endorsement shall not be made until all application data, maps, covenants and deeds required by these regulations have been submitted to the Commission.

8.1. Where a lot, based upon the reviews and decision of the Health Department, shall only be served by a septic system designed by a Professional Engineer, a note shall be placed on the Final Plan of Subdivision indicating such requirement.

9. All approved plans of subdivision shall, upon endorsement by the commission, be filed and recorded by the applicant in the office of the Town Clerk of the City of Danbury as per Section 8-25 of the General Statutes of the State of Connecticut as amended. No such plan of subdivision may be accepted for filing or recording by the Town Clerk until the Commission's Approval has been endorsed thereon, and the filing or recording of a plan of subdivision without such approval shall be void.

10. When the Planning Commission endorses a Plan of Subdivision which includes a proposed road and receives the required performance bond, the Commission or its agent shall issue a Permit to Construct Roadways which shall grant the subdivider the right to construct roadways in the City of Danbury as per the approved plan. No roadways shall be constructed without such permit.

10.1. The permit shall designate certain stages of construction and it shall become the responsibility of the subdivider to obtain the signature of the City Engineer upon completion of each stage and before stating additional work. The subdivider shall give the City Engineer forty-eight (48) hours notice when he is desirous of an inspection. Failure of the subdivider to obtain the Engineer's signature as designated shall constitute default of the regulations and said permit shall become null and void and further work shall not be permitted.

11. The amount of the original bond shall be released when the "as-built" drawing has been delivered to the office of the Planning Commission, when the street tree requirements of these regulations have been met to the satisfaction to the City Forester, when a satisfactory instrument of conveyance has been delivered to the office of the Corporation Counsel, and when the roadway has been accepted by the Common Council.

12. Petitions or requests for acceptance of roads must be submitted to the Common Council of the City of Danbury between April 1 and October 31 inclusive. Such petitions shall be referred to the Planning Commission by the Common Council in accordance with section 8-24 of the General Statutes of the State of Connecticut, as amended.

12.1. As Built Drawing: No roadway or section of roadways shall be proposed for acceptance until an "as built" drawing shall show the relationship of the completed roadway to the subdivider. The drawing shall show the relationship of the completed roadway to the proposed right-of-way. It shall show the

location of all monuments which have been indicated on the final plan and its shall show the surveyed location, size and type of all drainage conduits, sewers, water lines and other utilities. It shall also show the location of all drainage easements. This plan shall be drawn in ink on a material suitable for filing shall be delivered to the office of the Planning Commission from which it shall be delivered to the Engineering Department for review and recommendation of approval.

13. No certificates of compliance shall be issued by the Zoning Enforcement Officer until the drainage, utilities, foundation course, and first course of pavement within the approved road right-of-way have been completely installed according to the City road standards and so certified by the City Engineer and also when the developer has certified to the Planning Commission that guaranteed provision for maintenance of said road(s) has been provided.

14. The developer shall provide normal road maintenance, including snow removal, at his own expense, at all times during the course of construction and until the road is accepted by the Common Council.

15. In the event that the subdivider fails to plow or sand a road within four (4) hours following the cessation of a snowfall or ice buildup, the Public Works Department of the City of Danbury shall have the right to plow or sand the road in question or arrange for a private contractor to plow or sand the road in question.

16. Should the subdivider fail to maintain a road or make necessary repairs within seven (7) days after receiving notice from the Public Works Department of the City of Danbury that maintenance or repairs are necessary, the Public Works Department may make whatever repairs are necessary or cause such repairs to be made by a private contractor.

17. Whenever the Public Works Department either performs snow removal, sanding or maintenance, or causes to be performed by private contractors any such snow removal, sanding or maintenance, the cost thereof together with a ten percent (10%) surcharge to be paid to the City of Danbury shall be deducted from the performance bond and shall be paid over to the City of Danbury so as to reimburse the City for any expense incurred.

18. Whenever funds are deducted from the performance bond, the subdivider shall, upon written notice from the City of Danbury, replenish said portion of the performance bond is not replenished, no further certificates of compliance will be issued for any houses located on the roads in question until such time that portion of the performance bond has been replenished.

19. The Planning Commission shall require that proper provision be made for erosion and sedimentation control where the development of individual lots and roads require a change of grade. Such controls may be bonded by the Commission.

CHAPTER 4

SUBDIVISION REQUIREMENTS

SECTION A: GENERAL REQUIREMENTS

1. No subdivision or resubdivision of land shall be made and no land in any subdivision shall be sold or lease or offered for sale or lease until a plan of subdivision, prepared in accordance with these regulations, has been approved by the commission and has been file in the office of the Town Clerk.

1.1 No revision to subdivision or a resubdivision previously approved by the Planning Commission including but not limited to alterations of lot layouts, shall be made until such changes have been approved

by the Planning Commission. No Map shall be filed in the office of the Town Clerk unless said map contains such endorsement of approval by the Planning Commission.

2. All land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety, especially with respect to water supply, sewage disposal, flood and erosion hazards, traffic and pedestrian safety and accessibility to emergency services. Every lot within the subdivision shall contain sufficient area of suitable terrain to accommodate essential service and emergency vehicles; septic systems and reserve areas including required setbacks and separation distances; water supply and separation among buildings for purposes of fire safety. The Planning Commission shall find that all proposed grading cuts and fills necessary to utilize the lots for building purposes will not adversely affect adjacent properties as to storm water runoff, erosion and sedimentation, slope stability and view obstruction. Where conditions affecting the above concerns are unsuitable the commission may deny or modify such lots, including the requirement of larger lots than are defined by the City Zoning Regulations.

2.1. LAND OF SUCH CHARACTER REQUIRING ADDITIONAL PRECAUTIONS FOR DEVELOPMENT

Lands which contain the following characteristics warrant special attention and evaluation and require appropriate safeguards to protect the health and safety of future occupants within the subdivisions and existing residents of the community:

- 1) Land designated as zones A and A1-30 on the Flood Insurance Rate Map of the City of Danbury prepared by the Federal Emergency Management Agency and the Federal Insurance Administration.
- 2) Land containing slopes of twenty percent (20%) or greater.
- 3) Wetlands, water courses, marshes, bogs and swamps as defined by the Regulations of the Environmental Impact Commission, City of Danbury.
- 4) Natural or man-made drainage ways.
- 5) Land containing areas of soil types with “severe” or “very severe” limitations for onsite septic systems classified by the Soil Survey of Fairfield County, Connecticut, United States Department of Agriculture, Soil Conservation Service in cooperation with Connecticut Agricultural Experiment Station and Storrs Agricultural Experiment Station.

The Planning Commission as a condition of approval of any subdivision containing such types of land may require the development of each individual lot in strict compliance with the utility plan as submitted. Any deviation from this plan must be approved by the Planning Commission. Failure to comply with the provisions of this section shall render the approval of such lot null and void. Where lots are to be developed in compliance with the Utility Plan, a note shall be placed upon the Final Plan of Subdivision indicated that the development of such lots is subject to the requirements contained in the Futility Plan on file in the Planning Department.

2.2 In Flood Plain Zones development is limited by Section 7.A. of the Zoning Regulations and with reference to Zones A and A1-30 shown on the Flood Insurance Rate Maps. In addition, no subdivision or other new development shall be approved unless:

- 1) The proposals are consistent with the need to minimize flood damage within the flood prone area;
- 2) all public utilities and facilities such as sewers, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate infiltration of flood waters into the water and sewer systems and discharges from the sewer systems into flood waters; (On-site waste disposal systems may be located within the boundaries of the flood Plain zones only provided that the lowest elevation of the leaching facilities is more than 24 inches above the elevations of the 100 year storm;)
- 3) adequate drainage is provided so as to reduce exposure to flood hazards:

- 4) full flood plain data including base flood elevation data is provided;
- 5) The subdivision of land within the boundaries of the Flood Insurance Rate Map preserves the floodway for a 100 year storm.

The Commission shall require the provision of open spaces, parks and playgrounds in accordance with the following schedule:

<u>Zone</u>	<u>Minimum Total Area of Subdivision</u>
RA-20	5 acres
RA-40	10 acres
RA-80	20 acres

Percentage Open Space of Total Area of Subdivision Required

20%
10%
5%

Such open space shall be found suitable by the Planning Commission for passive or active recreation. It shall be accessible to its intended users and, at the discretion of the Planning Commission, be capable of accommodating vehicular parking area-the size of which are to be commensurate with their intended use.

Where the proposed open space is not contiguous to other publicly owned open space land it shall be deeded to either a non-profit land conservation trust, or to the lot owners of the subdivision, such that each lot owner possesses an undivided interest in the designated open space and is jointly and severally responsible for the payment of taxes on and maintenance of the designated open space.

Where the proposed open space is contiguous to other publicly owned open space, and in the opinion of the Planning Commission is suitable for community use, it shall be offered at no cost to the City of Danbury or other such public agency.

The Planning Commission may accept the provision of an open space parcel located outside the proposed subdivision providing such parcel is equal to or in excess of the area required and it is accepted at no cost by the City of Danbury or other public agency.

3.1. At the option of the Commission, the area within a proposed subdivision designated for park or playground use may be substituted in favor of a plan to construct a bikeway within the respective proposed subdivision.

4. No privately owned reserved strip shall be permitted which controls access to any part of the subdivision or to adjacent land from any street or open space reserved for dedication for any public use.

5. In the planning and development of any subdivision, due regard shall be given to the preservation and potential enhancement of existing natural features, large trees, scenic points and watercourses.

6. No trees on City-owned property, including road shoulders, adjacent to a development shall be disturbed or cut without written permission of the City Forester.

SECTION B: STREET LAYOUT AND ACCESS REQUIREMENTS

1. All proposed streets shall be in harmony with existing or proposed thoroughfares shown in the Danbury Plan of Development especially in regard to safe intersections with such thoroughfares and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic need; where necessary, the Planning Commission may require the reclassification of a road as defined in Chapter 5, Section A.1. of these regulations.

Streets shall be arranged to provide for continuation between adjacent properties where such continuation is necessary for the convenient movement of traffic, effective fire and police protection, efficient provision of utilities or where such continuation is in accordance with the Plan of Development.

1.1. No proposed lots shall have access to a privately owned road. Roadways with a cluster subdivision where such cluster subdivision contains exclusively garden apartment and/or row houses may be privately owned and maintained provided such buildings are not placed upon individual lots. No privately reserved strip shall be permitted which controls access to any part of the subdivision or to adjacent land from any street or open space reserved for dedication for any public use.

2. Where a subdivision is to be served by a roadway within another community the Planning Commission may withhold the approval of such subdivision upon the determination that this situation may negatively affect the provision of city services to such subdivision.

3. The Planning Commission may withhold approval of all or part of a subdivision where the volume of traffic expected to be generated from such subdivision will likely exceed the capacity of neighboring roads or adversely affect traffic safety, or where the proposed access to the subdivision or the individual lots within the subdivision will adversely affect traffic safety.

4. Right-of-way width shall be at least fifty (50) feet for all streets, by a wider right-of-way may be required by the Planning Commission if such wider road would be more suitable to the proposed development or more compatible with the circulation and traffic recommendation included in the Danbury Plan of Development.

5. Where a proposed subdivision abuts an existing street that does not comply with the right-of-way width requirement, the commission shall require the dedication of half (1/2) of the right-of-way deficit along with all necessary rights to grade as determined by the City Engineer for future road widening. Prior to final approval, the owner shall offer said parcel to the Common Council for acceptance. Such offering shall include the following:

- a) An A-2 survey map of such strip of land.
- b) A warranty deed to the City of Danbury including such right to grade.
- c) A certificate of title from the attorney for the property owner certifying marketable title and that real estate taxes to the City of Danbury are paid on a current basis.
- d) Such other requirements as are established by the Common Council for the acceptance of road right-of-way strips in the City of Danbury.

CITY OF DANBURY SUBDIVISION REGULATIONS
REPLACE EXISTING CHAPTER 4, SECTION B.6. WITH NEW SECTION B.6 AS FOLLOWS.

6. Cul-de-sac and Loop Streets. Cul-de-sac and loop streets with only one point of ingress and egress from a public street, as illustrated below, are permitted whenever a through street is impossible because of adjacent property or because a through street would do significant damage to environmentally sensitive areas. The Planning Commission may require the extension of a proposed cul-de-sac or loop street to permit access to adjacent property or to connect such street with an adjoining existing or proposed street. Permanent dead-end streets are prohibited; however, any temporary dead-end street proposed for the purpose of providing future access to an adjoining property or stage of development shall be provided with a temporary, all-weather cul-de-sac, the use of which shall be guaranteed to the public until such time as the street is extended. The subdivision plan shall note that land outside the normal street right-of-way shall revert to abutting land parcels whenever the street is extended.

6.1 Length. Cul-de-sac and loop streets shall not exceed one thousand feet (1000') in length, except that the Planning Commission may permit an extension of up to two thousand feet (2000') in *total* length if the Commission finds that the additional length would (a) facilitate future extensions to other roads, (b) result

in better lot layout and less need for lengthy driveways, and/or (c) reduce the amount of severe grading, environmental impact, or damage to historic properties or sites resulting from alternative road layout plans. The permitted length of a cul-de-sac or loop street shall be measured along the centerline of the street from its origin with the intersecting street to the center of the cul-de-sac or around the loop street, as illustrated below, and shall include in measurement all roadways extending from the cul-de-sac or loop street. The length of the cul-de-sac or loop street shall be the minimum necessary to accommodate the proposed development and future extensions to adjacent property and roads.

6.2. Conditions for Approval. Cul-de-sac and loop streets shall be permitted under the following conditions: (a) for residential development, the street, and any extensions therefrom, shall serve no more than a total of twenty (20) dwelling units; (b) if future connections are possible off the street to another road through adjacent property, a right-of-way, as approved by the City, shall be reserved for such purposes; (c) all proposed utilities shall meet the requirements of the City Engineer; (d) environmentally sensitive areas, including wetlands, steep slopes, and watercourse, shall be avoided to the greatest extent possible in accordance with applicable City regulations; (e) historic property or sites shall not be altered or destroyed; and, (f) undue health and safety problems shall not be created.

6.3. Reservation of Easements. The Planning Commission may require the reservation of easements sufficient to accommodate drainage facilities, pedestrian access, or utilities from the street to adjoining lands.

6.4. Cul-de-sac Design. The right-of-way and pavement radius of a Cul-de-sac shall be as specified in Chapter 5, Section A.2. of these Regulations. Cul-de-sacs shall have a grade not exceeding 3% across the cul-de-sac or for a distance of 100 feet before the center point of the cul-de-sac right-of-way. Transition to this 3% grade shall be gradual.

7. Streets should intersect each other so that for a distance of at least one hundred (100) feet each street is at right angles to the street it joins. The Planning Commission, however, may permit a maximum deviation of not more than twenty (20) degrees as long as an increased pavement radius is provided inside the acute angle to prevent vehicle turning conflict.

8. Streets shall not have a grade exceeding three percent (3%) within a distance of at least one hundred (100) feet of an intersection, and transitions to steeper grades beyond one hundred (100) feet of the point of intersection with the proposed road is eight (8%) or less.

9. No more than two streets shall intersect at one point. Streets shall maintain the same alignment when crossing another road. Intersections shall be so designed that the maximum travel way grade on the existing road within one hundred (100) feet of the point of intersection with the proposed road is eight percent (8%) or less.

9.1. A minimum unobstructed sight line distance of two hundred and fifty (250) feet or ten (10) times the posted speed limit of the intersected road, whichever is greater, shall be provided along each intersecting street. The subdivider shall obtain all necessary related rights and shall regrade all areas falling within the sight distance triangle. He shall regrade, remove trees, brush, stones etc. and other objects designated by the City Engineer, so that clear, unobstructed sight distance is obtained.

9.2. Street intersections shall be spaced apart with the following table:

<u>Intersecting Existing Street</u>	<u>Spacing Distance</u>
Expressway or Arterial (as defined herein)	1000 feet
Collector (as defined herein)	600 feet
All Other Streets	200 feet

10. All intersecting streets, both within subdivision and abutting, shall be designed to have street line corner radii measuring at least thirty (30) feet.

11. In RA-20, RA-40 and RA-80 zones only, the Planning Commission may authorize the use of accessways to serve an area that would otherwise be landlocked and which cannot be made accessible by an alternate road layout, provided that the aims and purposes of these regulations are furthered by their use. In RA-20 zones such rear lots shall be minimum of forty thousand (40,000) square feet. The area of an accessway shall be permitted off of arterial roads and collector roads as defined herein. No more than two (2) accessways shall lie contiguous to one another.

Individual or contiguous accessways shall be separated from other individual or contiguous accessways by at least two (2) lots each having fifty (50) feet of frontage along a road. The maximum length of an accessway shall be four hundred (400) feet in a RA-80 zone; three hundred (300) feet in a RA-40 zone and two hundred (200) feet in a RA-20 zone. Accessways shall be a minimum of twenty (20) feet wide and paved, with the paved portion not less than twelve (12) feet wide except that two (2) adjacent interior lots with contiguous accessways may be served by one common twelve (12) foot paved portion of said accessways. When common accessways are utilized, the responsibility for maintenance shall be equally shared among benefiting lot owners and clearly shown on the Final Subdivision Plan.

Accessways shall be constructed with a bank run gravel base not less than eight (8) inches in compacted thickness, and they shall be designed to provide for proper drainage. Portion of the accessway not paved shall be graded to a maximum of 2:1 slope or of such seeded or stabilized by a method approved by the Planning Commission. The grade of an accessway shall not exceed twelve percent (12%) with the first thirty (30) feet of the accessway measured from the right-of-way of the road at eight percent (8%). All proposed accessways shall possess the following unobstructed sight distances in accordance with the table below:

	Posted Speed Limit (M.P.H.)						
	25	30	35	40	45	50	55
Minimum Sight Distance	150ft.	190ft.	230ft.	270ft.	310ft.	350ft.	390ft.

Each lot owner depending on an accessway for access to a road must own such accessway in Fee Simple, but in the use of contiguous accessways rights to pass and repass over the shared paved portion shall be granted to each of the two owners making use of the drive.

12. All lots shall be served by a driveway located on the subject lot and owned in fee simple. Driveways shall have a maximum grade of twelve percent (12%), with the first thirty (30) feet of such driveway measured from the right-of-way of the road of access at a maximum of eight percent (8%). This eight percent (8%) standard shall not apply to rear lots served by an accessway. Single driveways shall be twelve (12) feet wide and paved for a distance of twenty (20) feet from the edge of the road travel way. All proposed driveways shall possess an unobstructed sight distance in accordance with the table found in the preceding paragraph.

The Planning Commission may require a joint driveway between lots having direct access to an arterial or collector road as defined herein. Such joint driveway shall be sixteen (16) feet wide and paved for a distance of twenty (20) feet measured from the edge of the road travelway. When common driveways are utilized, the responsibility for maintenance shall be equally shared among benefiting lot owners and clearly shown on the Final Subdivision Plan. All lots having direct access to an arterial or collector road as defined herein shall have a driveway with a sufficient turnaround area to prevent the backing of vehicles onto such roads. The requirement shall also be noted on the Final Subdivision Plan.

SECTION C: LOT LAYOUT

1. The Planning Commission shall not approve a lot which does not conform to the zoning regulations.

2. Insofar as is practicable the side lines of all lots shall be at right angles to the street on which the lot faces or radial to curved street lines.
3. Lots should be laid out so that driveways have access to a local street and not to a major road carrying general traffic.
4. Any lot which is totally or partially located within 250 feet of the high water mark of a reservoir or is within 200 feet along a tributary or drainage watercourse for a distance of 2,000 feet from the high water mark of a reservoir shall have a minimum lot area of two (2) acres.
5. The Planning Commission may encourage solar design in subdivision plans.

SECTION D: CLUSTER SUBDIVISION

1. In order to promote the health and general welfare of the community and to preserve and make available open space for recreation and conservation the Planning Commission in accordance with the City of Danbury Zoning Regulations, may allow a person to vary the requirement for RA-20, RA-40, RA-80, and RMF-10 zones so as to leave a substantial area free of buildings provided that all requirements of these Subdivision Regulations are followed.

SECTION E: UTILITIES

1. Unless the Planning Commission determines that extreme ledge conditions exist, all utilities and lateral connections, including telephone and electrical conduits, shall be installed underground on new streets. They shall be installed within the street right-of-way and cased so as not to interfere with one another. No finished grading or surfacing shall be done until all utilities have been installed in the street. If a utility must be installed outside the street right-of-way, necessary easements will be shown on the subdivision plan.
2. Permanent unobstructed easements in locations as required by the Planning Commission and of a nature acceptable to the Corporation Counsel shall be provided in all cases where drainage pipes, ditches or sanitary sewer lines must cross lands other than the street right-of-way. A minimum width of fifteen (15) feet shall be required and said easements shall be clearly defined on the linen drawing on file in the land records and deeded to the City of Danbury.
3. Every plan of subdivision shall contain a storm water management plan which adequately controls the runoff generated for a twenty-five year storm. Such subdivision shall not result in harmful flooding or pollution which would jeopardize the public health or safety.
 - 3.1 Drainage facilities shall in all cases be large enough to accommodate potential runoff from the entire upstream drainage area under conditions of maximum development permitted by the zoning regulations, whether inside or outside the subdivision.
 - 3.2 The Planning Commission may require that improvements to existing drainage systems be made to accommodate such additional runoff generated by the subdivision. Stormwater retention or detention systems may be required when it is found that such systems would alleviate downstream flooding as a result of such subdivision.

3.3 The Planning Commission may require the submission of any hydrological data in determining the drainage impacts from the proposed subdivision.

SECTION F: FLOOD PROTECTION

1. Subdivision proposals and other proposed development (including manufactured home park/subdivision) shall:
 - A. Be consistent with the need to minimize flood damage.
 - B. Have public utilities and facilities such as sewer, gas, electrical and water systems located to minimize flood hazards.
 - C. Have adequate drainage provided to reduce exposure to flood hazards.
 - D. Provide, as stated in Section 7.A.5. of the Zoning Regulations, base flood elevation for subdivision proposals and other proposed development (including manufactured home parks and subdivision) which are five acres or fifty lots, whichever occurs first, which must then meet the requirements for A1-30/AE zones.
2. The Planning Commission may require the applicant to designate on the subdivision plan a strip of land to remain in its natural state along each bank of a stream or brook. The purpose of this strip is to reduce the hazards of flood and the strip shall be twenty-five (25) feet wide or such greater width as the commission determines is necessary to accomplish the objective of protection from flood. Such strips shall be incorporated into the lot or lots contiguous to it but such strips shall be excluded in computing the area of such lot.

SECTION G: FUNCTIONAL CLASSIFICATION OF STREETS

Existing streets and roads are defined as either expressway, arterial or collector in accordance with the following functional classification. All streets or street segments not included below shall be considered local streets.

Expressway

Interstate 84
U.S.7

Arterial

Barnum Road
Clapboard Ridge Road to Ball Pond Road
Coal Pit Hill Road
Division Street to Park Avenue to Backus Avenue to Kenosia Avenue
Down Street to North Street
Federal Road (Ct 805)
Main Street to South Street (Ct 53)
Lake Avenue Extension to Mill Plain Road (U.S. 6)
Newtown Road (U.S. 6)
Padanaram Road to Pembroke Road (Ct 37)
Patriot Drive to Liberty Street to West Street to Lake Avenue
Old Ridgebury Road
Saw Mill Road

South Street to Mountainville Road to Long Ridge Road
Sugar Hollow Road (U.S. 7)
White Street
White Turkey Road Extension
Wooster Heights Road to West Wooster Street to Wooster Street

Collector

Aunt Hack Road to Middle River Road to Westville Avenue Extension to Westville Avenue
Backus Road to Miry Brook Road
Balmforth Avenue
Beaver Street to Rose Hill Avenue
Cross Street
Deer Hill Avenue to New Street to Elm Street
Eagle Road
East Hayestown Road
East Pembroke Road
Franklin Street Extension to Franklin Street to Garamella Boulevard to Osborne Street to Germantown
Road to Sandpit Road to Starr Road
Golden Hill Road
Great Plain Road to Stadley Rough Road to Palmer Road to Nabby Road
Hayestown Road
Hayestown Avenue
Hawley Road to Stadley Rough Road to Forty Acre Mountain Road
Hospital Avenue
King Street
Lee Mac Avenue
Locust Avenue
Main Street Extension
Maple Avenue
Middle River Road to Birch Road to King Street
Miry Brook Road
North Ridgebury Road
Payne Road
Plumtrees Road
Segar Street
Shelter Rock Road
Southern Boulevard
South King Street
Tamarack Avenue
Taylor Street to Wildman Street to White Street
Town Hill Avenue to Patriot Drive
Triangle Street to Beaver Brook Road to Sandpit Road
West Redding Road to Starrs Plain Road and West Starrs Plain Road
Westville Avenue Extension to Westville Avenue
Wilson Street

CHAPTER 5

ROAD CONSTRUCTION

SECTION A: GENERAL CONDITIONS

1. Street Classification. In general all proposed streets shall be designated into one of the following classifications by the Planning Commission prior to final approval, following the Plan of Development:

- a) Primary-Major thoroughfares
- b) Industrial
- c) Secondary High Density (in sections where zoning permits lot areas of less than 20,000 square feet)
- d) Secondary Low Density (in sections where zoning requires lot areas of 20,000 square feet or larger)

2. Grade and Cross Section. The minimum cross section and maximum grades permitted shall be as follows:

	Primary	Industrial	Secondary High-Density	Secondary Low-Density
Right-of-way.....	60'	60'	50'	50'
Paved Surface, curb-to-curb.....	36'	36'	30'	26'
Graded shoulder width.....	12'	12'	9'	6'
Wearing surface.....	Asphaltic Concrete	Asphaltic Concrete	Asphaltic Concrete	Asphaltic Concrete
Thickness of wearing surface.....	Two Course 3"	Two Course 4"	Two Course 3"	Two Course 3"
Minimum grades.....	0.5%	0.5%	0.5%	0.5%
Maximum grades.....	6%*	6%*	10%	10%
Radius of horizontal curves.....	300'	150'	150'	150'
Minimum distance between curves.....	300'	150'	150'	150'
Stopping sight distance.....	350'	200'	150'	150'
Cul-de-sac radius, R.O.W.....	not permitted	55'	50'	50'
Cul-de-sac radius, pavement.....		50'	40'	40'
Maximum Cul-de-sac grade.....	not permitted	3%	3%	3%
Curbs required.....	yes	yes	yes	yes
Sidewalks required.....	yes		no**	yes
				no**

*Up to 9% permitted only if approved by the city of Danbury Planning Commission and the City Engineer of the City of Danbury after a finding by both that topography and other such conditions reasonable prevent compliance with the 6% grade limitation.

**YES if within walking distances to schools as stated in Chapter 5, Sec. B, Par. 14.

The materials shall be placed on the finished subgrade in two compacted six inch layers and shall be compacted by rolling in an approved manner. Water shall be added to the material in such amounts as the City Engineer may direct for proper compaction.

After compaction, the foundation course shall be graded by means of a self-propelled mechanical grader. This course shall be true to line and grade and cross section.

Prior to finish grading of the foundation course, the contractor shall set grade stakes and shall indicate the grade as shown on the approved plan.

5. Fine grading. Before placing of the asphaltic concrete, the contractor shall fine grade the road using processed gravel of a type approved by the City Engineer. In general, the processed gravel shall be tow (2) compacted inches in thickness and shall be uniform throughout. The fine grading shall be accomplished by means of a motorized grader only (no bulldozer grades shall be permitted for this work). In conjunction with the grading, final compaction shall be done using a three-wheeled roller or other roller (not less than ten tons) as approved by the City Engineer.

6. Wearing surface. The wearing, or final surface, shall consist of bituminous concrete, machine placed in an approved manner, having a cross slope of four (4) inches from crown at centerline to gutter line.

7. Type. The bituminous concrete shall conform to the requirements of the State of Connecticut Department of Transportation "Standard Specifications for Roads, Bridges and Incidental Construction", from 812 revised July, 1980 and as specifically outlined in section 4.06 of said specifications.

8. Placing. No bituminous concrete shall be placed without the express approval of the City Engineer. In general, no paving shall be permitted beyond October 31; however, if weather conditions are suitable, the City Engineer may permit work beyond this date.

9. Patching. Before final approval is recommended, the City Engineer shall meet the contractor and inspect the paved surface. All portions of the paving which have settled or deteriorated shall be marked and these sections shall be removed forthwith by means of a compressor. Suitable patches (two course) shall be installed with the edges sealed in an approved manner.

10. Utilities. No finished grading shall be done until all utilities have been installed in the street. Where utilities are installed, the contractor shall raise all manholes, valve boxes, etc., up to the final road grade. These utility appurtenances shall be clearly visible and shall be so set that a fine line and grade is maintained. The necessary field measurements shall be taken during construction by the surveyor so that the locations and depths of the utilities can be accurately shown on the final "as-built" drawings.

11. Curbing. Where curbing is required for secondary low density roads, it shall be of the asphaltic concrete type except at all intersection curve radii and permanent turnarounds where granite curbing shall be required. An asphaltic concrete curb shall be machine placed in approved manner and it shall be true to line and grade and shall be immediately backed up, using suitable material. Asphaltic concrete curbing shall be placed on the binder course. The height of all curbs at the finished gutter line shall be a minimum six (6) inches.

12. Shoulders and side slopes. In all cases there shall be a shoulder area as defined in these specifications. This area shall be graded to slope upward from the top of the curb at a rate of one-quarter (1/4) inch per foot and shall be free of stumps, boulders and construction debris. The shoulder areas shall be seeded, using a meadow mix.

All side slopes beyond the shoulder limit (whether in cut or fill) shall not exceed a ratio of one foot vertical to two feet horizontal. In all cases the side slopes shall be graded to a true line and grade and shall be free of all debris. All disturbed areas shall be seeded, using a meadow mix.

Side slopes in rock cut shall be under the direction of the City Engineer, but in no case shall rock projections be permitted closer than five (5) feet to the edge of the traveled way. Rock cuts shall be free of all loose materials, and rock cuts exceeding five (5) feet in height shall be protected by means of suitable fencing, barricades, or terracing as approved by the City Engineer in the interest of public safety.

13. Turnarounds. Whenever a turnaround is eliminated by the extension of a road or street, it shall be the responsibility of the person constructing the extension to curb, grade and seed the area formerly used as the turnaround so that the road or street area no longer used for the turnaround is eliminated. Existing driveways within the former turnaround area shall be extended to the new curb line.

14. Sidewalks. Sidewalks shall be required in areas being served by a primary or secondary high density roadway as well as in other areas within a walking distance or $\frac{3}{4}$ of a mile of a primary school; within 1-1/2 miles of a junior high school; and within 2 miles of a senior high school. Sidewalks shall be concrete in primary and secondary high density areas (except within RA-20 zones) and either concrete or bituminous concrete in secondary low density areas, and industrial areas as specified on the Typical Roadway Sections, and shall be a minimum five (5) feet wide.

- (a) Concrete sidewalks shall be laid on a six (6) inch compacted bank run gravel or crushed stone base, built to grade, and constructed of concrete four (4) inches thick, having expansion joints with premolded fillers spaced every twenty (20) feet and having suitable weakened plain joints, except that where they cross driveways they shall be six (6) inches thick. Sidewalks at driveways shall require reinforcement.
- (b) Bituminous sidewalks shall consist of dense graded bituminous concrete surface, two (2) inches thick after compaction, constructed on a compacted six (6) inch processed gavel base. Such walks shall be formed and built to grade.
- (c) The sides of all walks will be backfilled with suitable material thoroughly compacted and finished flush with the top of the walk. All surplus material shall be removed, and the site left in a neat and presentable condition.
- (d) In addition to the above, all sidewalks to be installed shall incorporate all required handicap provisions.

15. Street trees. Before any subdivision bond is released or before any commercial or industrial use receives a permanent certificate of occupancy, the developer shall establish, within the street right-of-way, on (1) street tree for every fifty (5) feet of road frontage or fraction thereof, spacing to be as approved by the City Forester.

- a) A street tree shall be a deciduous tree of at least two (2) inches D.B.H., of a variety native to this area, with a straight form, a good crown and root structure and acceptable to the City Forester as a desirable tree.
- b) The trees shall be planted under the supervision of the City Forester and normal nursery planting procedures shall be followed.

SECTION B: CONSTRUCTION SPECIFICATIONS

1. Clearing and grubbing. Prior to the subdivider's removing all trees and stumps within the limits of the surface to be paved and the shoulder areas, said subdivider shall restake the centerline of the proposed roadway and all drainage structures and easements as approved by the Planning Commission. He shall also remove trees and stumps for a distance of twenty (20) feet from the influent and effluent of all drainage structures. Large trees shall remain in the shoulder area unless otherwise authorized by the City Engineer and the City Forester.
2. Excavation, filling and rough grading. The subdivider shall complete the shape of the road right-of-way, streams and ditches and easement areas to the line and grade as shown on the approved plan. All unsuitable or unstable material shall be completely excavated and removed from the traveled way, and all rocks and boulders larger than eight (8) inches in diameter shall be excavated at least twelve (12) inches below the finished subgrade of road pavement, drainage or drainage structure.

Where fills are necessary to complete the required line and grade or to backfill drains or other excavation, the materials incorporated in the work shall be acceptable to the City Engineer, and shall be placed in layers, each layer to be thoroughly compacted by means acceptable to the City Engineer. All compaction shall continue until fills are firm and unyielding. The rough grade of the subgrade shall be completed to within three (3) inches above or below finished subgrade as shown on the cross section of the right-of-way improvement. Earth shoulders and flow line of ditches and gutters shall be maintained in satisfactory condition at the subdivider's expense at all times during the course of

construction of the subdivision and until such time as the city has accepted dedication of the right-of-way.

2.a. Erosion and Sedimentation Controls. The subdivider shall employ whatever means are necessary to prevent the erosion of disturbed slopes and to protect all watercourses, storm sewer systems, and roadways from sedimentation, both during and after construction until the roadway is accepted by the City/This applies particularly to dewatering activities, storage of excavated or stockpiled material and trench or ditch excavation. The subdivider shall operate all equipment and perform all construction as to minimize pollution.

Preparation of subgrade. After completion of the rough grade and prior to the laying of the foundation course the subgrade shall be shaped to line and grade and thoroughly compacted.

All hollows and depressions which develop under rolling shall be filled with granular material and again rolled. This process shall be continued until no depressions develop. The subgrade shall not be muddy, frozen or otherwise unsatisfactory when the foundation course is laid upon it.

Any soft or unstable portions of the subgrade which develop under the roller shall be completely excavated and removed and shall be replaced with granular materials and the area reggraded and compacted as above.

No gravel shall be placed for the foundation course until the City Engineer has approved the conditions of the subbase.

Foundation course; granular material. After the subgrade preparation has been completed to the above specifications, the subdivider shall furnish and place a foundation course of approved bank run gravel, or crushed stone with maximum $\frac{3}{4}$ " diameter and must be free from wood, sod, and other deleterious materials. All materials acceptable for this course shall be hard, durable and sound, and shall be well graded from coarse to fine. The definition of bank run gravel and crushed stone shall be as outlined in the general specification of the State of Connecticut Department of Transportation as amended.

- c) If in the opinion of the City Forester the parcel or tract is in a wooded area and each building lot contains uniformly spaced deciduous trees of a desirable type, with at least one tree, ten (10) inches D.B.H., for every thousand (1000) square feet of area and no fill is used, and if there is a life expectancy after construction of ninety (90) percent, the above requirement may be waived.

SECTION C: DRAINAGE SPECIFICATIONS

1. Excavation, laying and backfilling. The widths of the trench in which the pipe is placed shall be sufficient to permit thorough tamping of the back fill under and around the pipe. Where rock and earth boulders are encountered, they shall be removed below grade and replaced with suitable material in such a manner as to provide an earth cushion having a thickness under the pipe of not less than eight (8) inches. In no cases shall the top of any drainage pipe be less than eighteen (18) inches below the finished grade of the pavement. Where soft, spongy or other unstable soil is encountered at the grade established, such unstable soil is encountered at the grade established, such unstable soil under the pipe and for a width of one foot on each side of the pipe, shall be removed and replaced with gravel or other suitable material. In all cases, the bedding shall be thoroughly compacted and shall provide a firm foundation for the pipe.

Pipes shall be laid to true line and grade on prepared bed of the trench. All connections for making field joints with corrugated metal pipe shall be made as recommended by the manufacturer using corrugated metal bands securely fastened. All joints in making field connections of reinforced concrete pipe shall be filled with a Portland cement mortar as directed by the City Engineer.

Backfilling of all drains shall be done in accordance with the paragraph on fills under the heading of excavation, filling and rough grading. Any additional drainage facilities not shown on the approved

plan but are reasonably necessary to conform to acceptable engineering standards for roadway construction shall be constructed by the subdivider at the subdivider's expense when requested by the City Engineer.

2. Pipe. Storm drain and culvert pipe may be of either asphalt coated corrugated metal or reinforced concrete as directed by the City Engineer. The minimum pipe size shall be fifteen (15) inch. Lesser diameter pipe may be permitted under certain conditions but only with express consent of the City Engineer. In all cases, the conduit shall conform to the specification of the Connecticut State Highway Department.
3. Catch basin and curb inlets. The following specification indicates the minimum acceptable construction for typical catch basins and curb inlets.
 - a) Location. Catch basins shall be constructed at all points of change of pipe slope or alignment and at all junction points. Catch basins shall be placed no further apart than 350 feet on slopes less than three (3%); 325 feet on slopes from three to six percent (3%-6%), and 300 feet on slopes over six percent (6%) in steepness. The developer shall provide a complete hydraulic analysis for review and approval
 - b) Excavation. The hole for a catch basin shall be excavated to a depth of thirty-six (36) inches below the designated elevation of the invert of the effluent pipe. In the event of a wet condition, crushed stone to a minimum depth of nine (9) inches leveled and compacted over the entire area of the excavation shall be laid in the hole. The foundation shall consist of an eight (8) inch thick slab of concrete. Precast concrete units will be permitted subject to the approval of the Engineering department. The slab shall extend six (6) inches beyond the outside of the walls of the catch basin. In all cases, the slab shall be smooth and level.
 - c) Walls. The walls shall be constructed of solid concrete catch basin blocks. They shall measure six inches by eight inches by twelve inches (6"x 8"x 12"). To a maximum depth of six (6) feet below the finished surface the catch basin walls shall be constructed of concrete blocks.

From five (5) feet to a maximum depth of ten (10) feet below the finished surface, the walls shall be constructed of solid concrete catch basin blocks having a width of eight (8) inches in thickness. Below ten (10) feet from the finished surface the catch basin walls shall be twelve (12) inches in thickness and shall be constructed of solid concrete blocks or poured concrete. The inside dimensions of the catch basin shall remain constant from top to bottom and shall match the frame opening of the curb inlet to be used. All blocks shall be laid in a workmanlike manner and the inside joints shall be pointed up (in an approved manner). Precast concrete units will be permitted subject to the approval of the Engineering Department.
 - d) Installation of pipe. Concrete blocks around all pipes entering or leaving the catch basin shall be cut to fit the contour of pipe as closely as possible; common brick may be used for this purpose. The ends of all pipes shall be cut off flush with the inside surfaces of the catch basin walls. All rough edges shall be smooth and reinforcing wire shall be cut flush with the surface. All joints adjacent to the pipe opening shall be solidly filled with mortar for the full thickness of the wall.
 - e) Curb inlets. All catch basins shall be capped using recast basin tops and shall be so installed that the flow line of the grade is two (2) inches below the finished gutter grade and the pavement shall be sloped toward the inlet.

Open ditches. With the approval of the City Engineer open ditches may be used when the grade of the land traversed is relatively flat, or when it is desirable to drain and dry surrounding areas.

In no case shall the grade of an open ditch exceed three percent (3%).

Riprap. Riprap shall consist of field stones placed in such a manner as to perfect a relatively smooth line and grade. The riprap shall be placed for a minimum distance of twenty (20) feet at the influent and effluent ends of all drainage lines, and said riprap shall be of sufficient size and placed in a workmanlike manner to prevent scour and erosion. Paved sections as approved by the City Engineer may be used in lieu of stone riprap.

Discharge Area. Where drainage pipes are to discharge onto building sites, the pipe shall be carried at least to the limit of the graded area behind any existing or proposed house. Where discharging onto other than building sites, the pipe shall be carried a minimum distance of one hundred (100) feet from the edge of the right-of-way.

Easements. Permanent easements of a nature acceptable to Corporation Counsel shall be provided in all cases where drainage pipes or ditches cross lands other than street rights-of-way. A minimum width of fifteen (15) feet shall be provided and said easements shall be clearly designated on the drawing on file in the land records. All required easements shall be prepared in a form acceptable to the Corporation Counsel and shall be acquired by the applicant prior to final subdivision approval by the Planning Commission. The easements shall be transferred to the City upon acceptance of the road by Common Council.

Rights to drain required. Whenever drainage waters are discharged directly or indirectly onto property owned by others, the subdivider shall secure written permission to discharge said drainage water from the affected landowners in a form acceptable to the Corporation Counsel of the City of Danbury. All such rights shall be acquired by the applicant prior to final subdivision approval and shall be transferred to the City upon acceptance of the road by Common Council.

House and foundation drains. House and foundation drains in no case shall be permitted to discharge onto the highway. These drains may be connected to the storm water system.

All such drainage connections shall be made prior to construction of the final wearing course.

SECTION D: FINAL GRADING

Before fine grading or construction of curbs and gutters is started, all service lines from underground utilities shall have been installed to every lot in the proposed subdivision. When all underground work is completed, the final grade shall be established and the curbing and wearing surface shall be applied. The shoulders shall be fine graded and seeded as a final operation.

SECTION E: UTILITIES

In all cases, the installation of all utilities within the right-of-way shall be under the direction of the City Engineer. Service lines shall be run to each and every lot at the street line and shall be terminated with a valve and curb box in the case of gas and water service.

SECTION F: GUARD RAILS

When, in the opinion of the City Engineer, guard railing is necessary to protect the traveling public, the subdivider shall install same as directed. The guard railing shall be of a type acceptable to the City Engineer and shall conform to the applicable structural specifications of the State Highway Department.

SECTION G: MONUMENTS

Monuments shall be set on all right-of-way lines of streets, at all intersections, angle points of curves. There shall be a clear foresight and backsight to adjacent monuments on the right-of-way line or lines on which a monument is set. Monuments shall be at least thirty-six (36) inches long and shall be at least four (4) inches square.

The monuments shall be of granite or of concrete with a permanent center marking approved by the City Engineer. The monuments shall not be set before the final wearing course and all final shoulder requirements have been completed, nor shall they be set while frost is in the ground. They shall be set so that the top is one inch above the finished grade and they shall be so set and tamped as to prevent shifting.

The subdivider's surveyor shall certify that the location of all monuments is accurate before acceptance of the street by the City of Danbury.

SECTION H: SIGHT DISTANCE AT INTERSECTIONS

Adequate sight distance at all intersections shall be provided in accordance with Chapter 4, Section B, Paragraph 9.1. of these regulations and the subdivider shall obtain all necessary related rights. The subdivider shall regrade all areas falling within the sight distance triangle. He shall remove trees, brush, stones, etc., and other objects designated by the City Engineer, so that clear, unobstructed sight distance is obtained.

SECTION I: DRIVEWAYS AND DRIVEWAY APRONS

When houses have been built within the subdivision prior to the acceptance of the proposed road for public use, suitable driveway aprons shall be constructed as hereinafter set forth.

Asphaltic concrete driveway aprons shall be constructed from the edge of the paved surface to the edge of the shoulder. They shall be graded and constructed in such a manner that the gutter line of the road itself is preserved intact.

Concrete driveway ramps shall be eighteen (18) inches in the ground and eight (8) inches thick, with a two (2) inch "lip" at the gutter. The remainder of the concrete ramp shall be six (6) inches thick reinforced concrete. There should be no radius at either side of the driveway ramp and the ends of the curb should be beveled down to the surface of the concrete.

No driveway shall be constructed so that excessive water is discharged onto the sidewalk or roadway.

The construction of driveway aprons in subdivision shall be included in the amount of the bond and their construction shall be under the direction of the City Engineer. Where driveways are constructed on accepted city streets they shall be constructed under the direction of the Public Works Department.

Granite curbing. When driveway aprons originate at a permanent cul-de-sac, granite curbing is to be continued across the front of the apron. Granite curbing is to be depressed so as to provide a 1" to 2" high lip.

SECTION J: STREET SIGNAGE

The applicant shall install street name signs and traffic signs in accordance with standards of the City of Danbury.

SECTION K: APPLICATION OF ARTICLE TO ROADWAYS UNDER CONSTRUCTION

This article shall not apply to any roadway upon which, on the effective date hereof, construction was commenced and which roadway is completed within three (3) years from said effective date, under the specifications contained in the former Road Ordinance of the Town of Danbury, originally adopted October 29, 1957 and repealed herein. (Ord. No. 52)(13, 12-7-65)

Revisions to the standards of this article shall not apply to any roadway upon which on the effective date of such revisions, construction was commenced and which roadway is completed within three (3) years from

said effective date, under the specification contained in the Road Ordinance of the City of Danbury, originally adopted December 7, 1965. (Ord. No. 190, 8-7-73, as amended.)

CHAPTER 6

LEGAL

SECTION A: VALIDITY

If any section, paragraph, sentence, clause or phrase of these regulations shall for any reason be held to be invalid or unconstitutional by decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of these regulations.

SECTION B: INSPECTION OF MINUTES

The official minutes of the commission shall contain a full record of all activity occurring pursuant to these regulations which records shall be public records and, in accordance with the provisions of Section 1-19 of the General Statutes as amended, shall be available for inspection at the office of the Planning Commission.

SECTION C: AMENDMENTS

These regulations may be amended by the Planning Commission at any time in accordance with the provision of the General Statutes of the State of Connecticut.

SECTION D: PENALTIES

EXTRACT from Section 8-25, Chapter 126 of the General Statutes, 1958 Revision, as amended:
“...Any person, firm or corporation making any subdivision of land without the approval of the Commission shall be fined not more than two hundred dollars for each lot sold or offered for sale or subdivided...”

SECTION E: APPEALS

Any person aggrieved by action taken under these regulations may appeal to the Court of Common Pleas as provided in Section 8-28, Chapter 126 of the General Statutes of Connecticut, Revision of 1958, as amended.

SECTION F: WAIVERS

Notwithstanding any provision of this regulations to the contrary, the Planning Commission in accordance with Section 8-26 of the General Statutes of Connecticut, Revision of 1958, as amended, may, after proper public notice and public hearing, waive certain requirements under the regulations by a three-quarters vote of all members of the Commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area, provided that no waiver shall be granted which would have a significant adverse effect on adjacent property or on public health and safety. The Commission shall state upon its records the reasons for which a waiver is granted in such case.

The application fee for the processing of a waiver request shall be \$50.00.

DEFINITIONS

FOR THE PURPOSE OF THESE REGULATIONS, CERTAIN WORDS AND TERMS HEREIN ARE DEFINED AS FOLLOWS:

1. "Commission" shall mean the Planning Commission of the city of Danbury, Connecticut.
2. "Subdivision" is as defined in Sec. 8-18, Chapter 126 of the General Statutes of Connecticut.
3. "Resubdivision" is as defined in Sec. 8-18, Chapter 126 of the General Statutes of Connecticut.
4. "Street" shall include any road, highway, avenue, lane or right-of-way which has been accepted as or deemed to be a public way by the City of Danbury.
5. "Accessway" means a private way for vehicular traffic providing access to a street from an otherwise landlocked lot, the area of which lot shall be computed exclusive of the area of such accessway.
6. "Subdivider" shall mean the owner of record of the land to be subdivided at the time of the filing of an application for approval of a plan of subdivision therefor, and shall include any subsequent owner of record making any subdivision of such land or of any part thereof in accordance with such plan.
7. "Engineer" as used in these regulations, unless otherwise specified, refers to an Engineer of the Engineering Department of the City of Danbury.
8. "Regular Meeting" as used in these regulations shall mean the meeting which is held by the Planning Commission on the first Wednesday of each month.